

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 11 March 2015

### PRESENT

Cllr K C Matthews (Chairman)  
Cllr (Vice-Chairman)

Cllrs	P N Aldis	Cllrs	K M Collins
	R D Berry		Ms C Maudlin
	M C Blair		T Nicols
	A D Brown		I Shingler
	Mrs C F Chapman MBE		J N Young
	Mrs S Clark		

Apologies for Absence: Cllr A Shadbolt

Substitutes: Cllr R W Johnstone (In place of Cllr A Shadbolt)

Members in Attendance: Cllrs Mrs G Clarke  
P A Duckett  
D J Hopkin  
B J Spurr  
B Wells,  
D Bowater

Officers in Attendance:	Miss H Bell	Committee Services Officer
	Miss S Boyd	Senior Planning Officer
	Mrs N Darcy	Senior Planning Officer
	Mrs V Davies	Principal Planning Officer
	Mr J Ellis	Planning Manager West
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Mr D Hale	Planning Manager South
	Mr A Harrison	Principal Planning Officer
	Mr A McMurray	Team Leader - Development Management - Highways, Transport Strategy Countryside Services
	Mrs L Newlands	Principal Planning Officer
	Mrs A Robinson	Senior Planning Officer
	Miss D Willcox	Planning Officer

### DM/14/157. **Chairman's Announcements**

The Chairman reminded Councillors and members of the public to silence their mobile phones for the duration of the meeting.

The Chairman advised the Councillors and members of the public that the order of business would be varied and considered as follows: Items 8, 11, 7, 6, 12, 13, 10 and 9.

The Chairman advised that a site inspection had been undertaken by all Members of the Committee in respect of every application on the agenda.

Subject to declarable interests all Members of the Committee have the right to vote on all matters of business considered by the Committee.

Rule No. 13.5.5 of the Constitution states that Members do not vote or take part in the meeting's discussions on a proposal unless they have been present to hear the entire debate, including the officer's introduction to the matter.

The Chairman, under Part E3 paragraph 9.2 has a second or casting vote should there be equal numbers of votes for and against an item. This provision makes it quite clear that the Chairman is entitled to vote on any item of business. There is no restriction or limitation on how the second or casting vote should be exercised nor is there a requirement that the right be exercised at all.

DM/14/158. **Minutes**

**RESOLVED**

**that the Minutes of the meeting of the Development Management Committee held on the 11 February 2015 be confirmed and signed by the Chairman as a correct record.**

DM/14/159. **Members' Interests**

(a) **Personal Interests:-  
Member**

	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr Blair	11	Met with Public Speaker	Present
Cllr Young	7	Met with Rowan Homes in capacity as Executive Member	Present
All Members of Committee present	13	Know Public Speaker	Present
Cllr Brown	10	Met with Applicant	Present

All Members of the 9 Know Applicant Present  
Committee

(b) **Personal and Prejudicial Interests:-**

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>of</b>	<b>Present or Absent during discussion</b>
Cllr Clark	8	Applicant if close family friend		Absent
Cllrs Berry & Johnstone	13	Members of Leighton Linslade Town Council		Absent

(c) **Prior Local Council Consideration of Applications**

<b>Member</b>	<b>Item</b>	<b>Parish/Town Council</b>	<b>Vote Cast</b>
Cllr Blair	11	Clophill Parish Council	Did not vote

DM/14/160. **Planning Enforcement cases where formal action has been taken**

**AGREED**

**that the monthly update of planning enforcement cases as identified in the report where formal action had been taken were received.**

DM/14/161. **Late Sheet**

In advance of consideration of the following Planning Applications the Committee received a Late Sheet advising it of additional consultation/publicity responses, comments and proposed additional/amended conditions. A copy of the Late Sheet is attached as an Appendix to these Minutes.

During consideration of some of the Applications the Committee received representations from members of the public in accordance with the Public Participation Procedure as set out in Annex 3 of Part A4 of the Constitution.

DM/14/162. **Planning Application No. CB/15/00132/FULL**

**RESOLVED**

**that Planning Application no. CB/15/00132/FULL relating to Land rear of Powage House, Church Street, Aspley Guise be approved as set out in the Schedule appended to these Minutes.**

DM/14/163. **Planning Application No. CB/15/0077/FULL**

**RESOLVED**

**that Planning Application no. CB/15/0077/FULL relating to 7 Goodwood Close, Clophill be approved as set out in the Schedule appended to these Minutes.**

DM/14/164. **Planning Application No. CB/14/04634/FULL**

**RESOLVED**

**that Planning Application no. CB/09/05154/TP relating to Land to the rear of The Wrestlers, 126 Church Street, Langford be approved as set out in the Schedule appended to these Minutes.**

DM/14/165. **Planning Application No. CB/14/04276/FULL**

**RESOLVED**

**that Planning Application no. CB/14/04276/FULL relating to Goods Yard, Cambridge, Langford be approved as set out in the Schedule appended to these Minutes.**

DM/14/166. **Planning Application No. CB/15/00095/FULL**

**RESOLVED**

**that Planning Application no. CB/15/00095/FULL relating to 25 Millbank, Leighton Buzzard be delegated to the Development infrastructure Group Manager to approve the application.**

DM/14/167. **Planning Application No. CB/15/00210/OAC**

**RESOLVED**

**That the consultation response of an objection relating to Planning Application no CB/15/00210/OAC, Land at Valley Farm, Leighton Road, Soulbury as set out in the Schedule appended to these Minutes be issued to Aylesbury Vale District Council.**

DM/14/168. **Planning Application No. CB/15/00299/FULL**

**RESOLVED**

**that Planning Application no. CB/15/00299/FULL relating to 23 High Street, Meppershall be delegated to the Developmnet Infrastructure Group Manager to approve as set out in the Schedule appended to these Minutes.**

DM/14/169. **Planning Application No. CB/15/00239/FULL**

**RESOLVED**

**that Planning Application no. CB/15/00239/FULL relating to The Paddocks, Springfield Road, Eaton Bray be approved as set out in the Schedule appended to these Minutes.**

DM/14/170. **Site Inspection Appointment(s)**

**RESOLVED**

**That all Members of the Committee be invited to conduct site inspections to be undertaken on Tuesday 7 April 2015.**

(Note: The meeting commenced at 10.00 a.m. and concluded at 12.43 p.m.)

Chairman .....

Dated .....

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## **LATE SHEET**

### **DEVELOPMENT MANAGEMENT COMMITTEE - 11 MARCH 2015**

#### ***Item 6 (Pages 15-42) – CB/14/04276/FULL – Goods Yard, Cambridge Road, Langford, Biggleswade.***

##### **Additional Consultation/Publicity Responses**

Revised plans were received amending the general site layout and changing the elevation design. A further 14 day consultation was undertaken dated 22/2/15. The consultation period expired on 6<sup>th</sup> March.

Response from Langford Parish Council on revisions –  
Langford PC remain fully supportive of this scheme

##### **Additional Comments**

The application is recommended for approval subject to the completion of a S106 Agreement which will secure the affordable housing provision in perpetuity and subject to no new issues being raised on the revised plans.

Condition 6 requires the submission of a ventilation and summer cooling scheme (for noise mitigation purposes). The applicant states it was agreed with Public Protection that a summer cooling system was not required. The cost of a summer cooling system is substantial, and could render the development unviable. Public Protection have been asked to confirm whether the summer cooling system is felt to be essential to the development.

Committee will be updated on Public Protection comments at the meeting.

For clarity – the condition which relates to the widening of the access junction with Cambridge Road is condition 24.

##### **Additional/Amended Conditions**

Minor amendments to highways conditions to correct small errors.

#### ***Item 7 (Pages 43-70) – CB/14/04634/FULL – Land to the rear of The Wrestlers, 126 Church Street, Langford, Biggleswade.***

##### **Additional Comments**

The application is subject to a S106 Agreement as set out in the report – the applicant has confirmed that they agree to the Education contribution sought for this development.

For clarification, the MUGA is a requirement of the site allocation policy, however after the policy was adopted it was felt this site was not the best location for a MUGA. This application does not include the provision of a MUGA on the site, however it does provide a financial contribution to Langford Parish Council towards the MUGA so that it can be sited elsewhere in Langford at a later date (the MUGA will subject to a separate planning permission once a suitable site is agreed)

Revised plans have been received amending the depth of the garages at Plots 7, 8 and 10 to comply with Design Guide (7m depth). Plot 9 garage is integral to design of dwelling therefore this garage depth remains less than 7m, however there are three parking spaces within the plot.

On plots 1 -6 the garages have been renamed as garden store however these plots have at least three on plot parking spaces which is in accordance with the Design Guide.

These revisions are acceptable to Highways and negate the need for conditions 12 and 13. Condition 16 needs to be amended as due to alterations to garages, only Plot 9 has no space for parking of cycles.

Also for clarity, the access road is to be offered for adoption however plots 7-10 would be served by a private road.

#### **Additional/Amended Conditions**

Delete conditions 12 and 13 (as described above)

Condition 16 needs to be re-worded to read –

Before development begins, a scheme for the parking of cycles for Plot 9 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

Condition 18 needs to be re worded to read -

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage/storage accommodation on the site shall not be used for any purpose, other than as garage accommodation and/or for domestic storage, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

Condition 19 amended to reflect revised plan numbers –



The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Location Plan, SC-01 rev D, SC-02, SC-03 rev C, SC-06 rev C, SC-04 rev B, SC-05 rev C, SC-07 rev B, SC-08 rev B, SC-09 rev B, SC-10, WRSTRP-SEPT14, Stage 1 Road Safety Audit J-D0950.00RSA1.0, Transport Statement J-D1736.00\_R2, Flood Risk Assessment ENV/0104/12FRA, Archaeological Evaluation Report No. 800 May 2012, Construction Waste and Material Recycling Statement, Phase 1 Habitat Survey, BS5837 Tree Survey.

Reason: For the avoidance of doubt.

***Item 8 (Pages 71-98) – CB/15/00132/FULL – Rear of Powage House, Church Street, Aspley Guise, Milton Keynes.***

**Additional Consultation/Publicity Responses**

Additional Individual letters:

**1 further letter of Objection received and response from the Parish Council:**

Charles Wells Ltd (Anchor Public House):

*Whilst the company have no specific objection to the application they have concerns with regards to the final design and the associated increase in residential dwellings surround the pub.*

*Problems occasionally arise when purchasers of residential properties near or adjacent to a pub and its activities - beers garden, car parking etc - move into these properties, fully in the knowledge that a pub and its activities are adjoining.*

*Concerns regarding the balconies, making the dwellings susceptible to privacy issues at a later date. Concerns that no obvious measures have been incorporated within the build design that will assist in mitigating potential noise pollution from the pub garden.*

*In summery there are concerns that the balconies will overlook the pub, and vice versa, this could impact upon future expansion plans of the public house, in addition concerns have been received regarding the proximity of new residential dwellings to the pub, and that this would have an adverse impact upon its ability to continue trading in the future as a pub/restaurant with beer terrace/garden.*

**Officer Response to these concerns raised:**

It is considered that this development would not cause a significant impact upon the public houses ability to function as a Public House. It is noted that Public Protection did not object to this development, and an assessment was made with regard to the position of the dwellings and the relationship they would have with the Public House. Should any views from the public house into the new dwellings be achievable, it is

considered that they would be at sufficient distance to ensure that an acceptable level of privacy was maintained.

**Aspley Guise Parish Council:**

No objection.

**Additional Comments**

No additional comments.

**Additional/Amended Conditions**

Additional Condition:

*The dwelling shown as Unit 2 on plan ASP-005B shall not be occupied until details of a scheme for the provision of a 1.7m high obscurely glazed screen to be located on the eastern side of the first floor balcony (described as "Master Bed" on plan number ASP-007C) has been submitted to the Local Planning Authority for its approval in writing and the approved scheme implemented. The screen shall be retained thereafter.*

*Reason: To protect the amenities of occupiers of neighbouring properties.*

The condition has been suggested to members following a meeting with the owner of number 13 Bedford Road, they did not raise their concerns regarding the proposed balcony to planning application CB/14/03962/FULL. This matter has been discussed with the applicant, who are happy to accept the condition, in order to reduce any possible impact of the development on the residential amenity of adjacent properties.

***Item 9 (Pages 99-108) – CB/15/00239/FULL – The Paddocks, Springfield Road, Eaton Bray, Dunstable.***

**Additional Consultation/Publicity Responses**

Highway Officer Comments

The application proposes the change of use of an existing 12 bedroom residential care home (Use Class C2) to a single domestic dwelling (Use Class C3).

No changes are proposed to the existing means of access to the highway and it is stated that no changes are proposed to the external appearance of the building. However there will be a number of internal alterations which will result in the creation of a single four bedroom dwelling.

The "blue" land identified on the application site plan shows that the existing workshop, office and storage building will continue to operate as a commercial use and the existing private stables and ménage permitted under application CB/11/01430/FULL will be retained.

The proposed change of use to a four bedroom dwelling in this location has the potential to generate 8 to 10 traffic movements per day. This is materially less than that which would be generated by a 12 place residential care home.

Therefore the proposal is unlikely to have any adverse highway impact, once completed.

As no changes are being proposed to the access to the highway, that no changes are being proposed to the other uses within the site and that traffic levels are likely to decrease as a result of the proposed change in use, I would confirm that in a highway context there should not be a restriction to the granting of permission to the above planning application.

### **Additional Comments**

#### Impact Upon the Openness of the Green Belt

The property has been previously extended by way of a conservatory, lift shaft, motor room and a side extension to house the existing laundry area which amounts to 51.3 square metres, cumulatively, this results in a 39% increase in the original foot print of the building.

Planning permission was refused and dismissed at appeal in 2002 for a side extension of approximately 209 square metres, in the appeal decision, the inspector concludes that the proposal would represent *'a significant incursion of built environment onto land which is currently open, and as a result it would materially detract from the openness of the Green Belt.'* It is therefore considered that the imposition of a condition to restrict any further extensions without the prior approval of the Local Planning Authority be appended to the decision notice in order to protect the openness and visual amenities of the Green Belt.

### **Revised Plans**

Plans amended to include parking area, garden area and access. Submission date 16/02/15 plan numbers 2015/01 03 03 and 2015/01 01 01.

Further plans to be submitted showing the existing conservatory which has been omitted by mistake.

### ***Item 10 (Pages 109-116) – CB/15/00299/FULL – 23 High Street, Meppershall, Shefford.***

#### **Additional Consultation/Publicity Responses**

None.

#### **Additional Comments**

None.

**Additional/Amended Reasons**

None.

***Item 11 (Pages 117-124) – CB/15/00077/FULL – 7 Goodwood Close, Clophill.*****Additional Consultation/Publicity Responses**

As referred to in the report, the scheme was amended to lower the dormer windows from the ridge line and the window removed from the dormer window facing 8 Goodwood Close.

No further consultation responses have been received in relation to the amended scheme.

**Additional Comments**

The application was called to Development Management Committee by Councillor Blair on the grounds of loss of privacy to the neighbouring property, lack of parking and existing drainage capacity problems in the area.

On the site there is an annexe/ log cabin that was granted a lawful development certificate in 2014. This has two bedrooms, within the proposed development there are shown to be 6 bedrooms, resulting in a total of 8 bedrooms within the site. The Council's adopted parking standards would require a total of 4 car parking spaces. The plan submitted with the application shows that 5 spaces can be accommodated on site. This involves the 2 spaces in the double garage, two in front of the double garage and one behind one of the forecourt spaces. Neighbouring residents have disputed the position of the fifth space behind one of the forecourt spaces, given issues with shared access/ rights of way. However, if this space was not available it is considered that the site can provide the required 4 car parking spaces in accordance with the Council's adopted standards.

Late representation received from 3 Old Silsoe Road – objecting to the scheme on the following grounds:

- Loss of privacy to sons bedroom
- Direct vision in to spare room window – an integral window from bedroom to bathroom with full view of the proposed dormer
- Loss of privacy to the conservatory/ family room at rear – this is a room we use a lot and is currently very private
- Loss of privacy to the family garden – where a great deal of time is spent.

All the comforts that we share in our family home will be stifled and restrained should this imposing plan go ahead.

Officer response – 3 Old Silsoe Road is to the rear of the application site, with the rear elevation being some 30 metres from the elevation with the proposed dormers

on the application site. The Council's guidance suggests that a suitable back to back distance would be 21 metres. It is therefore considered given the separation distance that there would be no detrimental loss of privacy to this property.

**Additional/Amended Conditions**

None

***Item 12 (Pages 125-134) – CB/15/00095/FULL – 25 Millbank, Leighton Buzzard.*****Additional Consultation/Publicity Responses**

None.

**Additional Comments**

The applicant has submitted the following statement:

“I have been practising as a Chiropodist in Leighton Buzzard for 20 years. I have a solid and loyal patient base. I am currently located in Old Bank House in Lake Street where my existing lease is due to expire in June.

As an experienced Chiropodist I am more than able to manage patient appointments and it should be noted that all consultations are strictly by appointment. There will only be one patient at any one time (unless a joint appointment) therefore only the one allocated car space being used. All patients will be issued with a parking instruction to use the allocated space, however many of my patients do not have their own transport and therefore walk or are dropped off, thus not requiring parking.

Finally I would submit that one patient visitor every three quarters of an hour when a patient consultation takes a maximum of half an hour will ensure no overlapping of patients causing them to have to park on road.”

Officers have considered this statement, however, the recommendation remains unchanged as the proposal to ensure that patient consultations are sufficiently spaced would not be able to be controlled by planning condition as such a condition would not be enforceable and would therefore not meet the tests for planning conditions as set out in the National Planning Policy Framework.

**Additional/Amended Reasons**

None.

***Item 13 (Pages 135-158) – CB/15/00210/OAC – Land at Valley Farm, Leighton Road, Soulbury, Bucks.***

The applicant's agent has brought to our attention that references within the report and proposed response to the 2010 Environmental Impact Assessment being used are incorrect.

An updated Environmental Impact Assessment was prepared and submitted with the planning application; however Aylesbury Vale District Council also placed the scoping opinion documents on the website under the planning application reference number causing a significant level of confusion.

The following amendments therefore need to be made to the report and the proposed response to AVDC.

Section 1 – final paragraph to be deleted.

Section 6 – Highways Development Control comments to be deleted and replaced with the following:

The principle vehicular access to this site falls outside of the Central Bedfordshire area and as such, this office's comments will be limited to the potential vehicular impact upon CBC's highway network.

The application proposes some 300 dwellings.

In terms of traffic generation and trip distribution, this is a matter for Buckinghamshire County Council to comment on in their capacity as local highway authority.

With regards to the junction of Stoke Road/Leighton Road/Wing Road ARCADY modelling confirms its operation within theoretical capacity limits during both the AM and PM peak hours throughout the assessment profile.

During the PM peak hours, in the 2019 and 2024 scenarios, the junction experiences some capacity and delay issues, but this occurs without development and the levels increased "with development" are considered to be not severe.

With regards to the junction of Leighton Road/Vimy Road ARCADY modelling confirms its operation within theoretical capacity limits during both the AM and PM peak hours throughout the assessment profile.

During the PM peak hours, in the 2019 and 2024 scenarios, the junction experiences some capacity and delay issues, but this occurs without development and the levels increased "with development" are considered to be not severe.

With regards to the junction of West Street/Leighton Road/Bridge Street ARCADY modelling confirms that the junction currently operates above its theoretical capacity limits during the current year (2014) in both the AM and PM peaks

The introduction of development traffic further exacerbates this issue. In order for this office to be satisfied with this proposal, a TA addendum focussing on this issue would be required for further review.

With regards to the junction of Leighton Road/West Street/Bridge Street, ARCADY modelling suggests that the junction currently operates above its theoretical capacity limits during the current year (2014) in both the AM and PM peaks

The introduction of development traffic further exacerbates this issue. In order for this office to be satisfied with this proposal, a TA addendum focussing on this issue would be required for further review.

With regards to the junction of West Street/North Street/Leston Road ARCADY modelling confirms its operation within theoretical capacity limits during the assessment period.

With regards to the junction of Leston Road/Hockliffe Street ARCADY modelling confirms its operation within theoretical capacity limits during the assessment period.

With regards to the junction of Old Road/Stoke Road LINSIG modelling suggests the junction will operate with reserve capacity throughout the assessment period until the "2024 With development" scenario during the PM peak hour where degree of saturation falls below the recommended 90% for all approaches. In order for this office to be satisfied with this proposal, a TA addendum focussing on this issue would be required for further review.

As an adjoining highway authority consultation, this office makes no comment or decision upon the correctness or validity of the traffic data, trip generation data or trip assignment data used to inform the operational modelling. This is for the determining highway authority to pass comment upon; however on face value this office raises an objection to this proposal subject to the determining highway authority passing comment upon the TA data. At that point, this highway authority may lift its objection or alternatively request a TA addendum to be submitted that deals with the above concerns for further review.

Section 6 – third paragraph after "Sustainable Transport" heading to be deleted.

Section 9 – point 1 – to be deleted and the following points to be renumbered.

Section 9 – point 8 – delete first paragraph.

A revised report will be produced with the above amendments before a copy of the report and the comments in section 9 are sent in a covering letter.

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<b>Item No. 08</b>
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<b>APPLICATION NUMBER</b>	<b>CB/15/00132/FULL</b>
<b>LOCATION</b>	<b>Rear Of, Powage House, Church Street, Aspley Guise, Milton Keynes, MK17 8HE</b>
<b>PROPOSAL</b>	<b>Demolition of existing warehouse to the rear of Powage House with the erection of two detached dwellings and associated car parking.</b>
<b>PARISH</b>	<b>Aspley Guise</b>
<b>WARD</b>	<b>Aspley &amp; Woburn</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Wells</b>
<b>CASE OFFICER</b>	<b>Annabel Robinson</b>
<b>DATE REGISTERED</b>	<b>15 January 2015</b>
<b>EXPIRY DATE</b>	<b>12 March 2015</b>
<b>APPLICANT</b>	<b>Abbeymill Homes Limited</b>
<b>AGENT</b>	
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Councillor Wells</b>  <b>"Two levels of windows overlooking the bedroom and ground floor of the adjacent property, Chain House"</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval</b>

**Summary of Recommendation:**

The planning application is recommended for approval, the design of the dwellings would be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1, CS2, CS5, DM4, DM13, CS15. It would not have a significant impact upon the residential amenity of any adjacent properties, the significance or the setting of the adjacent Listed Buildings, or the Aspley Guise Conservation Area and would result in a new development suitable for the location. It is considered that the design is in accordance with the Central Bedfordshire Design Guide and the submitted Development Strategy and National Planning Policy Framework.

**Recommendation**

That Planning Permission be granted subject to the following;

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Development shall be carried out in accordance with the Phase II Environmental Assessment Report (14th January 2014). No part of the site shall be occupied until the remediation measures identified in the report have been completed in accordance with the approved details.

Reason: To ensure that any contamination which exists on the site is dealt with in the interests of the amenities of the future occupiers of the site and of the surrounding area.

- 3 **No development shall take place until the following details are submitted to and approved in writing by the Local Planning Authority and shall be carried out in full accordance with such approved details:**

- **Samples of materials to be used in the external finishes of the development hereby approved.**
- **Drawings of all new proposed doors and window to a scale of 1:10 or 1:20, together with a specification of the materials and finishes. Details provided should clearly show a section of the glazing bars, frame mouldings, door panels, the depth of the reveal and arch and sill details.**

**Reason: To ensure that the proposed development is carried out in a manner that safeguards the historic character and appearance of the Conservation Area and setting of adjacent listed buildings.**

- 4 The proposed development shall be carried out and completed in all respects in accordance with the access siting and vehicular layout illustrated on the approved plan and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.

- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage and car port accommodation on the site shall not be used for any purpose, other than as vehicle garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

- 6 No development shall commence until full details of a "no-dig" driveway and parking area construction have been submitted to the Local Planning Authority for approval. This construction shall be based on a cellular confinement system and shall be so constructed to avoid changes to the soil levels, or cause any root severance of all "off -site" trees, located in the neighbouring property of Guise House. Only the approved details shall be implemented

Reason: To protect the rooting medium and rooting system of "off-site" trees located in the neighbouring property of Guise House, from the construction of new parking and vehicle access areas, in order to maintain their good health, anchorage, screening and amenity value.

- 7 **No development shall commence until, a tree survey undertaken, to include the identification of the pruning of overhanging "off-site" trees, located in the neighbouring property of Guise House, which is to be required to facilitate the development, and has been submitted to and approved in writing by the Local Planning Authority. The survey shall only recommend the minimum access facilitation work required to accommodate the approved building works, and the work shall not exceed that required to facilitate development, with the emphasis on maintaining the natural shape and amenity value of the respective crowns. The survey recommendations shall be based on BS 3998 : 2010 "Tree Work Recommendations" and the approved recommendations shall only be carried out by qualified and competent tree surgeons, who have the ability to comply with the BS 3998 : 2010 British Standard.**

**Reason: To ensure the quality of approved work and to prevent any excessive and disfiguring pruning work that goes beyond that required to facilitate development, in the interests of maintaining the health and natural appearance of the "off-site" trees, located in the neighbouring property of Guise House.**

- 8 **Boundary walls to this site must be retained at all times. If they become damaged in any way or fall down then details of new works shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented on the site. These works shall be completed prior to the first occupation of the development hereby approved.**

**Reason: To safeguard the character and appearance the Aspley Guise Conservation Area and the amenities of occupiers of neighbouring properties in accordance with the NPPF and policies 43 and 45 of the emerging Development Strategy for Central Bedfordshire dated 2013.**

- 9 A scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

(Policy 43, DSCB)

- 10 **No development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping.**

**(Policies 43 and 58, DSCB)**

- 11 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no extensions or alterations shall be carried out to the development hereby permitted without the prior approval by way of a planning consent from the Local Planning Authority and only the approved details shall be implemented.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 12 **No development shall take place until a written scheme of archaeological investigation; that includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.”**

**Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development.**

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers ASP-001; ASP-002; ASP-003; ASP-004B; ASP-005B; ASP-006C; ASP-007C; ASP-008A; ASP-009B; ASP-010B; ASP-011C; ASP-012B; ASP-013B; ASP-015A; ASP-016B, ASP-017A; Design and Access Statement; Phase I Geo-Environmental Assessment; Phase II Environmental Assessment Report; Protected Species Survey.

Reason: To identify the approved plan/s and to avoid doubt.

14. The dwelling shown as Unit 2 on plan ASP-005B shall not be occupied until details of a scheme for the provision of a 1.7m high obscurely glazed screen to be located on the eastern side of the first floor balcony (described as "Master Bed" on plan number ASP-007C) has been submitted to the Local Planning Authority for its approval in writing and the approved scheme implemented. The screen shall be retained thereafter.

Reason: To protect the amenities of occupiers of neighbouring properties.

### **Notes to Applicant**

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049.

### **Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

Planning permission has been granted for this proposal. The Council acted proactively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted proactively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

### **NOTES**

- (1) In advance of the consideration of the application the Committee were advised of further consultation from the Parish Council and the Officer response to the letter as set out in the Late Sheet appended to these minutes. Committee also noted an additional Condition.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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<b>Item No. 11</b>
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<b>APPLICATION NUMBER</b>	<b>CB/15/00077/FULL</b>
<b>LOCATION</b>	<b>7 Goodwood Close, Clophill, Bedford, MK45 4FE</b>
<b>PROPOSAL</b>	<b>Conversion of loft with 3 dormer windows and rooflights</b>
<b>PARISH</b>	<b>Clophill</b>
<b>WARD</b>	<b>Amphill</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Duckett, Blair &amp; Smith</b>
<b>CASE OFFICER</b>	<b>Lisa Newlands</b>
<b>DATE REGISTERED</b>	<b>07 January 2015</b>
<b>EXPIRY DATE</b>	<b>04 March 2015</b>
<b>APPLICANT</b>	<b>Mr &amp; Mrs K Garwood</b>
<b>AGENT</b>	<b>FOD Limited</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Loss of privacy to neighbouring property, lack of parking and existing drainage capacity problems.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**Recommendation**

That Planning Permission be granted subject to the following:

**RECOMMENDED CONDITIONS / REASONS**

- The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality.  
(Policy 43, DSCB)
- The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Site Location Plan; GAR/01P/Sk(A)14 I; GAR/02P/Sk(A)14 I

Reason: To identify the approved plan/s and to avoid doubt.

## Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

2. **Will a new extension affect your Council Tax Charge?**

The rate of Council Tax you pay depends on which valuation band your home is placed in. This is determined by the market value of your home as at 1 April 1991.

Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax. If however you add an annexe to your property, the Valuation Office Agency may decide that the annexe should be banded separately for Council Tax. If this happens, you will have to start paying Council Tax for the annexe as soon as it is completed. If the annexe is occupied by a relative of the residents of the main dwelling, it may qualify for a Council Tax discount or exemption. Contact the Council for advice on **0300 300 8306**.

The website link is:

[www.centralbedfordshire.gov.uk/council-and-democracy/spending/council-tax/council-tax-charges-bands.aspx](http://www.centralbedfordshire.gov.uk/council-and-democracy/spending/council-tax/council-tax-charges-bands.aspx)

### **Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

## NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional consultation and comments as set out in the Late Sheet attached to these minutes.



(2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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<b>Item No. 7</b>
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<b>APPLICATION NUMBER</b>	<b>CB/14/04634/FULL</b>
<b>LOCATION</b>	<b>Land to the rear of The Wrestlers, 126 Church Street, Langford, Biggleswade, SG18 9NX</b>
<b>PROPOSAL</b>	<b>Erection of 10 no. dwellings with access, parking, associated landscaping and public open space</b>
<b>PARISH</b>	Langford
<b>WARD</b>	<b>Stotfold &amp; Langford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Clarke, Saunders &amp; Saunders</b>
<b>CASE OFFICER</b>	<b>Samantha Boyd</b>
<b>DATE REGISTERED</b>	<b>26 November 2014</b>
<b>EXPIRY DATE</b>	<b>25 February 2015</b>
<b>APPLICANT</b>	<b>Rowan Homes (NHH) Limited</b>
<b>AGENT</b>	<b>Beacon Planning Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Major Development and Departure from Policy HA22</b>

<b>RECOMMENDED DECISION</b>	That Planning Permission be granted subject to the expiry of the advertisement in the local press and the completion of the S106 Agreement securing a financial contribution to the Parish Council for the provision of a MUGA and the transfer of the public open space land to the Parish Council
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### **Reason for Recommendation**

The proposal would not fully comply with the terms of Policy HA22, however it is felt that there would be community benefits from the proposal in terms of the MUGA contribution and the area of land to be transferred as public open space in perpetuity and the off site provision for Affordable Housing at the Cambridge Road site. The applicant has demonstrated that the site cannot meet the terms of the policy in full and remain a viable scheme. Given the benefits to the community, it is considered that the proposal is acceptable despite the departure from Policy HA22.

The proposal would not have a negative impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its size, design and location, is in conformity with Policy DM3 of the Core Strategy and Development Management Policies, November 2009; and The National Planning Policy Framework. It is further in conformity with the Supplementary Planning Guidance: Design in Central Bedfordshire: (Revised 2014)

### **Recommendation**

That Planning Permission be granted subject to the expiry of the advertisement in the local press and the completion of the S106 Agreement securing a financial contribution to the Parish Council for the provision of a MUGA and the transfer of the public open space land to the Parish Council.

**RECOMMENDED CONDITIONS / REASONS**

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 **No development shall commence until details of materials to be used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance therewith.**

**Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.**

- 3 **No development shall commence until details of surface water drainage for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run off generated up to and including the 100 years critical storm will not exceed the run off from the undeveloped site following corresponding rainfall event. The scheme shall be implemented in accordance with the approved details before the development is completed.**

**Reason: To ensure that adequate surface water drainage is provided to prevent increased risk of flooding both on and off site.**

- 4 **No development shall commence until details of the final ground and slab levels of the dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

**Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas.**

- 5 **No development shall take place until a written scheme of archaeological investigation for an open area excavation of the area identified on Plan CBC/01/Archaeology followed by post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme.**

**Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development.**

6

**No development shall commence on site until the following has been submitted to and approved in writing by the Local Planning Authority:**

a) A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.

b) Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling.

c) Where shown to be necessary by the Phase 2 Desk Study, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.

Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any **permitted building** is occupied. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.

Reason: To protect human health and the environment.

7

Development shall not commence until full details of both hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- all proposed boundary treatments, to include materials and dimensions;
- materials to be used for any hard surfacing across the site including access and roads;
- minor structures (e.g. furniture, play equipment, signs, etc);
- proposed and existing functional services above and below ground level;
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;
- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 8 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 9 **No development shall commence until full details of mitigation, conservation and/or enhancement measures for (protected/locally important) species shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. These measures shall include:**

- **surveys at agreed periods during (season) by an agreed expert to determine the possible presence of particular protected species previously specified by the Local Planning Authority.**
- **details of appropriate mitigation measures and contingency plans should such a protected species be found to be present and either (i) preparing for breeding, (ii) in the process of breeding or (iii) rearing young;**
- **mechanisms to enhance identified existing wildlife habitats through the development process.**
- **new hedgerows along the boundary of the public open space to encourage wildlife habitats.**

**The works shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: To ensure all impacts from development are taken into account and mitigated.**

- 10 **No development shall commence at the site before details of how the development will achieve 10% or more of its own energy requirements through on-site or near-site renewable or low carbon technology energy generation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

**Reason: In the interest of sustainability.**

- 11 **No development shall commence until a Site Waste Management Plan has been submitted to and approved by the Local Planning Authority. Development shall be completed in accordance with the approved details.**

**Reason: To ensure a satisfactory form of development.**

- 12 Before development begins, a scheme for the parking of cycles on the site and for Plot 9 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 13 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage/storage accommodation on the site shall not be used for any purpose, other than as garage accommodation and/or for domestic storage, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Location Plan, SC-01 rev D, SC-02, SC-03 rev C, SC-06 rev C, SC-04 rev B, SC-05 rev C, SC-07 rev B, SC-08 rev B, SC-09 rev B, SC-10, WRSTRP-SEPT14, Stage 1 Road Safety Audit J-D0950.00RSA1.0, Transport Statement J-D1736.00\_R2, Flood Risk Assessment ENV/0104/12FRA, Archaeological Evaluation Report No. 800 May 2012, Construction Waste and Material Recycling Statement, Phase 1 Habitat Survey, BS5837 Tree Survey.

Reason: For the avoidance of doubt.

### **Notes to Applicant**

1. The surface water drainage scheme should also include details of a site specific ground investigation report to determine the infiltration capacity of the underlying geology and the ground water level as well as details of how the scheme shall be maintained and managed after completion.
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

3. As the site is of long historic use there may be unexpected materials or structures in the ground. It is the responsibility of the Applicant to ensure safe and secure conditions, so any indications of potential contamination problems should be forwarded to the Contaminated Land Officer, Andre Douglas, for advice, on 0300 300 4004 or via [andre.douglas@centralbedfordshire.gov.uk](mailto:andre.douglas@centralbedfordshire.gov.uk).
  
4. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements at the junction onto Church Street. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Technology House, 239 Amphill Road, Bedford MK42 9BD.

The applicant is advised that if it is the intention to request the Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Highways Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford Bedfordshire SG17 5TQ. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010"

5. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.

**Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

The application is recommended for approval. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-



actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

#### Notes

- (1) In advance of the consideration of the application the Committee were advised of the need to delete Conditions 12 and 13 and amendments to Conditions 16, 18 and 19. Committee noted clarification on the MUGA and revised plans that had been submitted as set out in the Late Sheet appended to these minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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<b>Item No. 6</b>
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<b>APPLICATION NUMBER</b>	<b>CB/14/04276/FULL</b>
<b>LOCATION</b>	<b>Goods Yard, Cambridge Road, Langford, Biggleswade, SG18 9PS</b>
<b>PROPOSAL</b>	<b>The erection of 22 No. affordable housing units with access, parking, bund and acoustic fencing, and landscaping.</b>
<b>PARISH</b>	<b>Langford</b>
<b>WARD</b>	<b>Stotfold &amp; Langford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Clarke, Saunders &amp; Saunders</b>
<b>CASE OFFICER</b>	<b>Samantha Boyd</b>
<b>DATE REGISTERED</b>	<b>19 November 2014</b>
<b>EXPIRY DATE</b>	<b>18 February 2015</b>
<b>APPLICANT</b>	<b>North Hertfordshire Homes</b>
<b>AGENT</b>	<b>Beacon Planning Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The application is linked with CB/14/04634/Full at land rear of The Wrestlers, Church Street, Langford, which is also reported to this committee.</b>
<b>RECOMMENDED DECISION</b>	<b>That planning permission be granted subject to the expiry of the revised plan consultation period.</b>

**REASON FOR RECOMMENDATION**

The proposed residential development is within the Settlement Envelope for Langford and is therefore acceptable in principle. The development for 22 Affordable Housing Units would also comply with Policy CS7 of the Core Strategy and Development Management Policies Document. The proposal is also considered to be acceptable with regard to the impact on the character and appearance of the area, neighbouring amenity, amenity of future occupants and highway safety. The proposal is therefore considered to be acceptable and in conformity with Policies DM4, DM3 and CS7 of the Core Strategy and Development Management Policies Document (2007) and Central Bedfordshire Council Design Guide (Revised March 2014).

**Recommendation**

That planning permission be granted subject to the expiry of the revised plan consultation period.

**RECOMMENDED CONDITIONS / REASONS**

- 1 The works shall begin not later than three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: To control the appearance of the building in the interests of the visual amenities of the locality in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).**

- 3 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

**Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)**

- 4 **No development shall take place until a detailed landscaping scheme to include all hard and soft landscaping, boundary treatments, external lighting, minor equipment and signage, and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)**

- 5 **No development shall commence until a scheme for protecting the proposed dwellings from noise from the railway line adjacent to the proposed development has been submitted and approved in writing by the local planning authority. Any works which form part of the scheme approved by the local authority shall be completed before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Authority. The scheme shall include details of the noise barrier along the boundary with the railway, building insulation and alternative ventilation strategy for the proposed dwellings.**

The scheme shall ensure that internal noise levels from rail traffic shall not exceed 35 dB LAeq,07:00-23:00 in any habitable room or 30 dB LAeq, 23:00-07:00 and 42 dB LAmax, 23:00-07:00 inside any bedroom and that noise levels from rail traffic in any external amenity area shall not exceed 55 dB LAeq, 1 hr within the first 5m from the building facade to which the amenity area relates. All approved works in respect of each dwelling shall be completed before that dwelling is first occupied.

**Reason: To protect the amenity of future occupiers of the proposed dwellings in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)**

- 6 Development shall not begin until details of a ventilation scheme (which shall be designed to achieve the standards set out below) for the proposed dwellings has been submitted to and approved in writing by The Local Planning Authority. The scheme shall enable appropriate internal ambient noise levels to be achieved whilst ventilation is provided at the minimum whole building rate as described in The Building Regulations Approved document F. The scheme shall also ensure that the thermal comfort criteria defined in the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide A (2006) is achieved with windows closed where required to meet the noise standards for rail noise as specified in the above condition.

**Reason: To protect the amenity of future occupiers of the proposed dwellings in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)**

- 7 No occupation of any permitted building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

As shown to be necessary by the previously submitted April 2014 BRD ST Consult Site Investigation Report, a Phase 3 remediation scheme with an explanation measures to be taken to mitigate any risks to human health, groundwater and the wider environment.

Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

**Reason: To protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)**

- 8 **No development shall commence at the site before details of how the development will achieve 10% or more of its own energy requirements through on-site or near-site renewable or low carbon technology energy generation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

**Reason: In the interest of sustainability in accordance with Policy DM1 and DM2 of the Core Strategy and Development Management Policies Document (2009)**

- 9 Before the internal site access are first brought into use, a triangular vision splay shall be provided on each side of the new access drive and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the highway into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the accesses safe and convenient for the traffic which is likely to use them in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 10 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43.0m measured from the centre line of the proposed access along the line of the channel of the public highway to the west and 43.0m measured from the centre line of the proposed access to the centre line of Cambridge Road to the east. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 11 No dwelling shall be occupied until a 2.0m wide footway fronting Cambridge Road has been constructed in accordance with Plan number 1862-PL-102 rev C. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 12 The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 13 Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval. (See Notes to the Applicant)

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 14 Before the premises are occupied all on site vehicular areas shall be surfaced in a stable and durable manner in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 15 The turning space for vehicles illustrated on the approved drawing no. SD213362/SK5 Rev P1 shall be constructed before the development is first brought into use and retained thereafter.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 16 **No development shall commence until a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and 2 short stay spaces per unit, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose. (See Notes to the Applicant)**

**Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport In accordance with the Core Strategy and Development Management Policies Document (2009)**

- 17 Details of a refuse collection point located outside of the public highway shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The scheme shall be fully implemented prior to occupation of any dwelling and shall be retained thereafter.

Reason: In the interest of amenity and in order to minimise danger, obstruction and inconvenience to users of the highway and the premises in accordance with the Core Strategy and Development Management Policies Document (2009)

- 18 **No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include proposals for construction traffic routes, a method statement of preventing site debris from being deposited on the public highway, the scheduling and timing of movements, any traffic control, signage within the highway inclusive of temporary warning signs, the management of junctions to, and crossing of, the public highway and other public rights of way, details of escorts for abnormal loads, temporary removal and replacement of highway infrastructure and street furniture, the reinstatement of any signs, verges or other items displaced by construction traffic, construction traffic access to the site and construction traffic parking and details of the amount of traffic movements/earth and size of vehicle required for the construction of the bund. The CTMP shall be implemented in accordance with the approved details for the duration of the construction period.**

**Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the site in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)**

- 19 Notwithstanding the details shown parking bay no. 3(2) shall measure 2.5m x 5.0m and have a 6.0m forecourt in front of it. Parking bays 18(2), 19(2) and 20(2) shall measure 2.5m x 6.0m each.

Reason: For the avoidance of doubt and for ease of vehicle movement and in accordance with the Core Strategy and Development Management Policies Document (2009)

- 20 Notwithstanding the details shown a visibility splay shall be provided at the south side of the junction of the parking bays of 7(1) and 7(2) with the public highway before the building is occupied. The minimum dimensions to provide the required splay line shall be 2.0m measured along the centre line of the proposed access from its junction with the channel of the public highway and 17.0m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.



Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 21 Notwithstanding the details shown and before development commences details of; the speed table inclusive of the extent of the adoptable highway; the turning area for a refuse vehicle within the parking forecourt inclusive of a 0.5m service strip; the demarcation of the visitor parking spaces; and the demarcation/keep clear hatching/signage of the turning area in front of plots 20 and 21 shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the speed table, service margin, turning area and demarcation of the visitor parking bays and turning area have been constructed in accordance with the approved details.

Reason: To provide a safe and adequate adoptable highway with turning provision and adequate on site visitor parking provision in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 22 Notwithstanding the details shown details of a 17.0m forward visibility curve, on the east side of the internal access road, in the vicinity of the frontage of plot, shall be submitted to and approved in writing by the local planning authority and the development shall not be brought into use until the forward visibility curve has been constructed in accordance with the approved details and shall thereafter be kept free from all obstructions.

Reason: In the interests of road safety and in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 23 Development shall not begin until the detailed plans and sections of the proposed road(s), including gradients and method of surface water disposal have been approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access has been constructed (apart from final surfacing) in accordance with the approved details.

Reason: To ensure that the proposed roadworks are constructed to an adequate standard and in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 24 Notwithstanding the details shown development shall not begin until details of the junction of the proposed vehicular access with the highway and tracking diagrams for a refuse size vehicle leaving the site in an easterly direction without crossing the centre line of Cambridge Road, shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the junction has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 25 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Sound Solution Noise and Vibration Assessment 18180 R3, Sound Solution Continuation Assessment ( Noise) 21032 R2, Highway Design Report D-213362 Rev A, Site Investigation Report JN0589, 1862-PL-01 rev A, 1862-PL-102 REV C, 1862-PL-103 REV B, 1862-PL-104 REV B, 1862-PL-105 REV B, 1862-PL-106 REV B, 1862-PL-107-REV D, 1862-PL-108 REV D, 1862-PL-109 REV D, 1862-PL-110 REV B, D213362/01 P4, D213362/08/P5, D213362/09/P4, D213362/10/P4, D213362/SK1/P4, D213362/SK2/P4, D213362/SK3/P4, D213362/SK5/P1, 46652/1, 14/03 REV, PLANTING LIST REV 2.

Reason: To identify the approved plan/s and to avoid doubt.

### Notes to Applicant

1. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.

The applicant is advised that in order to comply with the highway conditions of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ

The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.

The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

The applicant is advised that no works associated with the CTMP should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under the Highways Act to be implemented.

2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.
4. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoil's that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.

There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.

**Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

Planning permission is recommended. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of revised plans amended the general site layout and elevation design. Langford Parish Council were supportive of the scheme.

Committee were advised of an amendment to Condition 6.

- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

<b>Item No. 12</b>
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<b>APPLICATION NUMBER</b>	<b>CB/15/00095/FULL</b>
<b>LOCATION</b>	<b>25 Millbank, Leighton Buzzard, LU7 1AS</b>
<b>PROPOSAL</b>	<b>Change of use of the property from residential to a mixed use of residential and chiropody surgery, which would result in the garage being converted into a clinic room.</b>
<b>PARISH</b>	<b>Leighton-Linslade</b>
<b>WARD</b>	<b>Leighton Buzzard North</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Johnstone, Shadbolt &amp; Spurr</b>
<b>CASE OFFICER</b>	<b>Debbie Willcox</b>
<b>DATE REGISTERED</b>	<b>12 January 2015</b>
<b>EXPIRY DATE</b>	<b>09 March 2015</b>
<b>APPLICANT</b>	<b>Mrs Cohen</b>
<b>AGENT</b>	
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called-in by Councillor Shadbolt on the grounds that he disagrees with the recommendations of the Highways Officer, taking into account the personal circumstances of the household and the nature of the business.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Recommended for Refusal</b>

That the application be delegated to the Development Infrastructure Manager to approve in consultation with the Chairman, Vice Chairman of the Committee and Ward Representatives.

1. The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, number PC-14-001.

Reason: To identify the approved plan and to avoid doubt.

#### NOTES

- (1) In advance of the consideration of the application the Committee were advised of a statement submitted by the applicant as set out in the Late Sheet attached to these minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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<b>Item No. 13</b>
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<b>APPLICATION NUMBER</b>	<b>CB/15/00210/OAC</b>
<b>LOCATION</b>	<b>Land at Valley Farm, Leighton Road, Soulbury, Bucks</b>
<b>PROPOSAL</b>	<b>Other Authority Consultation: Outline planning permission with means of access to be determined and all other matters reserved for mixed used development including residential uses (C3) - some 300 dwellings, Employment use (B1), Commercial (A1-A5 inclusive), Leisure and Community (D2) and Ambulance Waiting Facility (Sui Generis) Land uses and associated roads, drainage, car parking, servicing, footpaths, cycleways and public open space/informal open space and landscaping</b>
<b>PARISH</b>	<b>Leighton-Linslade</b>
<b>WARD</b>	<b>Linslade</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Hopkin, Janes &amp; Warren</b>
<b>CASE OFFICER</b>	<b>Vicki Davies</b>
<b>DATE REGISTERED</b>	<b>21 January 2015</b>
<b>EXPIRY DATE</b>	<b>11 February 2015 (extension agreed with AVDC)</b>
<b>APPLICANT</b>	<b>Paul Newman Homes</b>
<b>CONSULTED BY</b>	<b>Aylesbury Vale District Council Planning Department</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Brought to the Committee at the discretion of the Development Infrastructure Group Manager having regard to the significant public interest and interest from adjoining Ward Members.</b>
<b>RECOMMENDED DECISION</b>	<b>Other Auth Consultation - Objection</b>

**Site Location:**

The site comprises two dwellings and approximately 42.4ha of agricultural land, it is located within the parish of Soulbury immediately adjacent to the western built up edge of Leighton Linslade between the existing town and the Stoke Hammond-Leighton Linslade bypass.

The B4032 Soulbury Road/Leighton Road runs through the northern part of the site. The site extends southwards alongside, and as far as, the extent of the existing residential development in the Derwent Road/Bideford Green area of Leighton Linslade.

The site is wholly within the Aylesbury Vale District. The site is located some 2km from the village of Soulbury and some 2.4km from the centre of Leighton Buzzard.

**The Application:**

Central Bedfordshire Council has been consulted by Aylesbury Vale District Council on a planning application for:

Outline planning permission with means of access to be determined and all other matters reserved for mixed used development including residential use (C3) - some 300 dwellings, Employment use (B1), Commercial (A1 - A5 inclusive), Leisure and Community (D2) and Ambulance Waiting Facility (Sui Generis) Land uses and associated roads, drainage, car parking, servicing, footpaths, cycleways and public open space/ informal open space and landscaping on land At Valley Farm, Leighton Road, Soulbury Buckinghamshire.

The application plans also show a “potential phase 2 development” which comprises 75 dwellings, 309m<sup>2</sup> single storey multi-use building (use to be determined), pedestrian and vehicular access (main point of access to Derwent Road), internal roads, car parking, cycleways, footpaths, footbridges, ponds for nature conservation purposes, balancing ponds, associated drainage systems, lighting and sewers and laying out of strategic landscaping.

The phase 2 development is not part of this current application and would require further planning applications to be made, one to AVDC for the development and one to CBC for the access, off Derwent Road.

This application proposes on 42.2ha of land:

- Not more than 300 dwellings – mix of 1 and 2 storey (this includes the loss of 2 dwellings)
- 1,116m<sup>2</sup> of buildings for employment use – mix of 1 and 2 storey
- Community building with a footprint of 145m<sup>2</sup> – 2 storey
- Ambulance waiting facility of 50m<sup>2</sup> – 2 storey
- Commercial floorspace (A1 – A5) – area not specified
- Playing fields and open space
- Roads, cycleway, footpaths, drainage, lighting, parking etc.

The Planning Statement set out that the whole site is not constrained by any statutory environmental or landscape designations within the saved policies of the Adopted Aylesbury Vale Local Plan (AVLP). It is:

- Not located within the designated Green Belt;
- Not located within a significant Flood Plain;
- Not located in the designated Area of Outstanding Natural Beauty;
- Not located in any designated Area of Attractive Landscape;
- Not located in any designated Local Landscape Area; and
- Not included within any other landscape / environmental protection designation save for a small part of the site which is Local Wildlife Site which will be retained and enhanced.

## **RELEVANT POLICIES:**

### **National Planning Policy Framework (March 2012)**

- 4 - Promoting sustainable transport
- 6 - Delivering a wide choice of high quality homes
- 7 - Requiring good design
- 8 - Promoting healthy communities
- 10 - Meeting the challenge of climate change, flooding and coastal change
- 11 - Conserving and enhancing the natural environment
- 12 - Conserving and enhancing the historic environment



Central Bedfordshire Council planning policies are not relevant to the determination of the application but guidance may be used to assess the impacts of the proposal and consider appropriate levels of s106 contributions.

### Supplementary Planning Guidance

Planning Obligations Strategy 2009

### Planning History

#### Aylesbury Vale District

##### Council

10/00500/AOP  
(CB/10/04616/OAC) Outline application for mixed use development including Residential (C3) - 900 dwellings, Employment (B1), Commercial (A1,A2,A3,A4,A5) Primary School, Health Centre (D1), Leisure and Community (D2), Land Use and associated Roads, Drainage, Car Parking, Servicing, Footpaths, Cycleways, Public Open Space/Informal Open Space and landscaping. Refused 4/8/10. Appeal dismissed 30/1/12.

11/00426/APP  
(CB/11/00842/OAC) Application for full planning permission for a Primary access off Leighton Road/Soulbury Road. This application relates solely to an access arrangement revision to the application 10/00500/AOP for mixed use development including Residential (C3) - 900 dwellings, Employment (B1), Commercial (A1,A2,A3,A4,A5) Primary School, Health Centre (D1), Leisure and Community (D2), Land Use and associated Roads, Drainage, Car Parking, Servicing, Footpaths, Cycleways, Public Open Space/Informal Open Space and landscaping. Refused 1/6/11. Appeal dismissed 30/1/12.

#### Central Bedfordshire

##### Council

SB/09/00176/FULL Construction of vehicular access off Derwent Road in conjunction with proposed development within Aylesbury Vale District for outline planning application for a mixed use development (900 residential dwellings, Commercial A1, A2, A3, A4, A5, Primary school, Health centre (D1), Leisure and community(D2) land uses and associated roads, drainage, car parking, servicing, cycleways, public open space/informal open space and landscaping. Withdrawn 3/6/09.

CB/10/00859/FULL Formation of a secondary vehicular access on land off Derwent Road to serve development proposed within Aylesbury Vale District under an outline planning application for Mixed Use Development including Residential (C3), some 900 dwellings, Employment (B1) Commercial (A1, A2, A3, A4, A5), Primary school, Health centre (D1), Leisure and Community (D2) Land uses and associated roads, Drainage, Car parking, Servicing, Footpaths, Cycleways, Public Open Space/Informal Open Space and Landscaping (revised application SB/09/00176/TP). Refused 24/6/10. Appeal

withdrawn.

CB/11/00750/FULL Revised scheme for the formation of a secondary vehicular access on land off Derwent Road to serve development proposed within Aylesbury Vale District under an outline planning application for Mixed Use Development including Residential (C3), some 900 dwellings, Employment (B1) Commercial (A1, A2, A3, A4, A5), Primary school, Health centre (D1), Leisure and Community (D2) Land uses and associated roads, Drainage, Car parking, Servicing, Footpaths, Cycleways, Public Open Space/Informal Open Space and Landscaping (revised application CB/10/00859/FULL). Refused 26/5/11. Appeal dismissed 30/1/12.

**Representations:  
(Parish & Neighbours)**

Although CBC has not consulted the Town Council or neighbouring residents, a number of comments have been received regarding the application. AVDC do not send letters to residents alerting them to planning applications however in this case they have erected a number of site notices within their District and along relevant points on the border to ensure residents of both AVDC and CBC are notified.

Leighton Linlade Town Council The Town Council has objected and the content of their response sent to AVDC is provided below.

"At its meeting held 26<sup>th</sup> January 2015, my Council resolved to object to the above planning application. Before considering the reasons, my Council wishes to question why it has not been formally consulted on the proposal which will by virtue of its size and juxtaposition have a material impact upon this Parish to the detriment of its existing residents. The lack of meaningful engagement (by either the determining planning authority or the applicant) with this Council is remarkable given the dependency on this parish; a point founded within the supporting statement which accompanies the planning application. This makes clear that in order for the proposal to demonstrate it is sustainable, it will be forced to look toward this parish to meet its schooling, leisure, open space, employment, transportation and retail provision. Yet no meaningful engagement has to date taken place which is clearly at odds with the principles of front loading consultation to which national planning policy espouses.

The Proposal:-

- i) The amended scheme follows the refusal of a previous scheme which was duly refused on appeal and subsequent to this, by the Secretary of State. Despite the fact that the proposal is reduced in scale, it is clear that the applicant intends to develop the site in planned phases. In its decision to uphold the appeal refusal, the Secretary of State makes

clear at paragraph 82 that once permission had been granted, it would be hard to contain the spread of the urban area further to the north-west. Mindful of this, my Council remains of the opinion that once the principle of development has been established, it will indeed prove difficult to contain the further spread of development.

- ii) The proposed development would be located in open countryside, causing substantial harm to landscape character. The proposal therefore lies at odds with local, regional and national planning policy which seeks to safeguard land from inappropriate development. Whilst reduced in scale and despite amendments, the proposal would intrude into a sensitive, open landscape area. No amount of soft landscaping would overcome the visual as well as physical impact the proposal would have on the landscape hereabouts. Moreover, for the parish, the Town Council maintains its objection on the grounds that the site represents a valuable green buffer, a green lung to counteract the development taking place both to the east and south of the parish.
- iii) The unplanned development to the west of the parish is unsustainable given my Council and Central Bedfordshire's commitment to mixed use growth to the east and south of the parish. The proposed unplanned development would place further unreasonable demands on an already overburdened infrastructure which is struggling to meet its own locally derived demands let alone those derived from a hostile planning application. As the determining authority is minded, the site was considered as part of the call for sites exercise (to inform the Joint Core Strategy) but was rejected on appropriateness grounds.
- iv) The planning application fails to demonstrate how it intends to meet the burden it will inevitably place on scarce service resources. Moreover, even if the application were deemed acceptable in planning terms, it appears that neither this parish or indeed the principal authority will benefit from New Homes Bonus, Council Tax or S106 monies despite the burden the application will inflict on those scarce resources be it education or traffic for example. This is neither fair nor reasonable and therefore, my Council seeks reassurance that this will not be the case."

Neighbours  
3 Alwins Field

CBC has received 7 letters of objection to the application, which have also been sent to AVDC. The reasons for the objections are:

- 381 Bideford Green - the development would give rise to serious traffic congestion resulting in danger to both motorists and pedestrians
- 92 Himley Green - installation of traffic lights in a significant dip on a bend would create dangerous congestion
- Himley Green (no number provided) - pedestrians choosing to walk into Linslade would require a footpath either side of the AVDC and CBC boundary leading to Derwent Road where a pedestrian crossing would be required
- 3 Milebush
- 23 Milebush - the development would impact on Central Bedfordshire not on AVDC or Bucks CC
- One letter with no address provided - the proposed cut through from the land through Linslade Wood without discussion with CBC would be illegal
- environmental sensitivity of the area, both in terms of flora and fauna
  - visual impact of the development
  - Valley Farm helps to reduce the negative impact of the bypass, both in noise and pollution
  - the developers have not updated their EIA
  - overstretched sewage system
  - lack of housing need, there is no shortage of housing
  - groundwater vulnerability with ground stability hazards
  - adverse impact on Leighton Buzzard town centre
  - contrary to policy
  - unsustainable development
  - precedent
  - taxes, income and s106 would go to AVDC or Bucks CC
  - insufficient spaces in local schools

Some objectors incorrectly state that the site is in the Green Belt, AGLV or AONB.

## Consultations/Publicity responses

Details of consultation responses from CBC consultees are included and considered in the report below.

## Determining Issues

The main considerations of the application are;

1. Background & Planning History
2. Planning Policy
3. Education
4. Ecological Impact
5. Landscape Impact
6. Highways, Public Transport and Sustainable Transport
7. Consultation responses which do not raise concerns
8. Other Issues
9. Proposed Response to AVDC

## Considerations

## 1. Background and Planning History

The site has been subject to previous planning applications in 2009, 2010 and 2011.

The development proposals were submitted in outline and included 900 dwellings (C3), Employment (B1) Commercial (A1, A2, A3, A4, A5), Primary school, Health centre (D1), Leisure and Community (D2) Land uses and associated roads, Drainage, Car parking, Servicing, Footpaths, Cycleways, Public Open Space/Informal Open Space and Landscaping.

In addition, due to the configuration of the development, an application was submitted to Central Bedfordshire Council for a secondary vehicular access and associated works on land off Derwent Road to serve proposed development.

Early applications were subsequently withdrawn by the applicant.

A decision on the resubmitted applications was taken by Central Bedfordshire Council (24th June 2010) and related primarily to highways matters. The second decision was taken by Aylesbury Vale District Council, dated 4th August 2010, and dealt with the more substantive planning policy, housing land supply, infrastructure and environmental matters. Appeals against these decisions were subsequently lodged in December 2010 (Case References APP/P0240/A/10/2143323 (subsequently withdrawn) and APP/J0405/A/10/2143343).

In order to deal with the technical reasons for refusals relating to highways matters in both applications, revised applications were submitted to both Aylesbury Vale and Central Bedfordshire. These were both subsequently refused and appeals submitted and conjoined with the above appeals (Case References APP/J0405/A/11/2154252 and APP/P0240/A/11/2154254).

The Inspector in his report to the Secretary of State recommended that all three appeals be dismissed and the Secretary of State agreed with the conclusions for reasons set out in the decision letter dated 30 January 2012, including those matters set out in paragraphs 14-24. The overall conclusions were set out in paragraph 24 as follows:

*“The Secretary of State concludes that Appeal A is not in accordance with the development plan or with national policy with regard to environmental and economic sustainability. He therefore concludes that, although the Appeal A scheme gains some limited support from other matters, those material considerations are not of sufficient weight to determine the appeal other than in accordance with the development plan. He also concludes that, as the proposals forming Appeals B and D are inextricably linked with Appeal A, they should follow the outcome of that appeal.”*

The Secretary of State's decision gave weight to the fact that the land was not allocated for residential development; the proposal would have a harmful effect on the character and appearance of the open countryside and is therefore not environmentally sustainable and the imbalance of on-site employment opportunities.

In terms of the impact on the Council's approach to the east of Leighton Linlade allocation, the Secretary of State considered that no weight should be given to

the Inspectors conclusion that the proposal would prejudice the delivery of the comprehensive and locally supported package to the east of Leighton Linlade.

## 2. Planning Policy

The Local Development Framework Team comment as follows.

This site was assessed by the Council's planning policy team following a 'call for sites' in 2012. This assessment was originally included within the Sustainability Appraisal for the emerging Development Strategy but was removed as the site is outside of Central Bedfordshire. The assessment however, is still considered to be a fair indication of the suitability of this site for development.

Of most notable concern is that the landscape sensitivity is rated as moderate to high. It was concluded that even a development of 250-500 dwellings would still result in a significant loss of landscape quality, harm the rural setting of Linlade and potentially damage mature landscape features. Proposals at the time stated that less than 50% of the site would be developed but sufficient landscape mitigation was still not proven. The assessment gave the site an amber rating which means that some concerns and/or constraints were identified.

It is noted that Aylesbury Vale do not have a five year housing land supply and therefore the presumption in favour of development applies. This is however outweighed by the need to protect this valued landscape west of Linlade. It is also unclear as to what extent this development would contribute towards housing need in Aylesbury Vale. The site's location abutting the existing settlement of Linlade would more realistically mean that it would contribute towards the local needs in Leighton Linlade.

## 3. Education

The School Places Team has responded as follows, with detailed information on current capacity at schools in Central Bedfordshire and how these schools would be affected by the proposal.

### The location of the site, and local education provision

The proposed 300 dwelling development at Soulbury is within Aylesbury Vale but the population of the development would likely look to closer schools in Leighton Buzzard. Greenleas Lower School, for example, is closer to the development site than the catchment primary school within Buckinghamshire which is Cottesloe Primary in Wing, around 3 miles from the centre of the development site.

### School places in Leighton and Impact of Development

On the basis of Central Bedfordshire's forecasts of pupil yield assumptions a development of this size would be expected to create around 12 pupils per year group. Greenleas Lower School is the closest school to the development and pupils attending that school would be expected to feed into Leighton Middle School and then Cedars Upper School, all within Leighton Buzzard. Pressure for school places is already forecast in Leighton Linlade as a result of approved housing development on allocated sites in the local area.

Full financial contributions for all levels of educational provision would ordinarily be required from this development, an area of land may also be requested to be provided within the development site to enable the future expansion of a school.

The exact form of the contributions would be subject to further discussion with Aylesbury Vale District Council and Buckinghamshire County Council which should be informed by feedback from local schools and feasibility studies on their ability to accommodate expansion.

#### Difficulties for Central Bedfordshire Council

300 homes in this location would create challenges for schools in Central Bedfordshire. Although this development is outside of Central Bedfordshire the proximity to Leighton Linlade would mean that the residents of the development would likely apply to CBC schools and be allocated places under the distance admission criteria, which would affect the ability of the schools to provide for CBC residents. Housing development elsewhere in Leighton Linlade has created a pressure for places across all phases of education and plans are in place to manage this, but an additional 12 pupils per year group would require further action. It is impossible to plan for piecemeal development on unallocated sites such as this in a strategic way, meaning that the authority is forced to take reactive action which is not ideal, as well as being disruptive for the schools involved.

For example, Greenleas is a popular and successful good school which managed an expansion onto a second site within the Sandhills estate for September 2013. An option for providing for the population of a development at Soulbury may be to increase Greenleas, Derwent Road to 2.5 or 3 forms of entry, with a detached playing field within the proposed housing development. While this would provide the pupil places it is far from ideal for the school which has recently faced a great deal of disruption due to the previous expansion. In addition, at this point in time there is no certainty around the actual deliverability or cost of a project at this school as a feasibility study has not been undertaken to understand the ability of the school building to expand, nor have the school been involved in any discussions with the authority regarding the possibility of expansion.

#### Political background- the policy principles

In addition to the practical difficulties in expanding Greenleas Lower School and the organisational problems associated with a 2.5fe school, to do so would go against CBC policy principles which set out that a lower school should only be expanded to or above 3 forms of entry in exceptional circumstances. (CBC policy principles which were delivered to Executive in February 2013):

*"30. Ideally lower schools should have 2 forms of entry (i.e. two classes per year group), leading to a school size of 300. For Primary Schools this leads to a school size of 420. This gives headteachers a balance of some teaching, as well as time to manage and monitor, with the ability to employ appropriate non-teaching support in the school.*

*31. Above 3 forms of entry (450 pupils for lowers, 630 pupils for Primary Schools) it becomes increasingly difficult to maintain consistency, coherence and a 'whole school' ethos appropriate to pupils of this school age. The Council acting as the Local Authority consider it preferable to promote the expansion and creation of new lower/primary school provision at or above 3 forms of entry only in exceptional circumstances.*

*32. The larger the school, the more likely it is that the Headteacher and senior staff will spend most of their time managing resources rather than on education.*

*If this time is spent on key issues known to promote school improvement in driving the ethos of the school towards raising attainment by a focus on pupil level data management, engagement with the teaching and learning process etc. their offer outside that of classroom input can accelerate school improvement and outcomes."*

It is clear from the comments provided that the proposed development would have a significant impact on Central Bedfordshire schools and that if AVDC are minded to approve the application that the full level of financial contributions must be secured and paid to CBC along with the provision of a suitable area of land to enable the expansion of Greenleas Lower School, Derwent Road.

#### **4. Ecological Impacts**

The Council's Ecologist comments as follows:

*I would only offer one observation in relation to the ecological receptors the Ecological Survey identifies in 3.76. In 3.5 it states that 'With the exception of Valley Farm Fen LWS, the statutorily and non-statutorily designated sites are not considered as Valued Ecological Receptors (VERs) and therefore need no further consideration within the EclA. This is due to the spatial arrangement of the Sites and their separation from the proposed development, leading to the consideration that they will not be significantly impacted by the proposals.'*

The sites may be separated and not immediately adjacent to the development area as the LWS is but the impact will be felt once the development is complete in the form of increased recreational pressure. Sites such as Linslade Wood, an area of ancient woodland, and Rock Lane, an old green lane, will suffer from an increase in footfall which is inevitable when 300 new homes are built on a site within 500m of the CWSs. Hence I would seek to ensure any future development of this area addresses potential impacts, demonstrates adequate on site provision of open space and buffering and enhancement of edge habitats.

It is therefore considered that in the event that planning permission is granted that a scheme of mitigation for Linslade Wood and Rock Lane is secured along with appropriate levels of financial contribution to enable the mitigation to be undertaken and managed for a period of 10 years.

#### **5. Landscape Impacts**

The Landscape Officer has provided the following comments.

Having studied the application documents and visited the site and surrounds I have serious concerns regarding negative impact of proposals on landscape character and visual amenity and object to the proposals:

- The proposed development will result in the encroachment of built form in to open, elevated, distinctive rural countryside which is contiguous with adjoining rural designated high quality landscapes.
- The proposed development cannot be adequately or appropriately mitigated due to the elevated open character of the application site and location in relation to the wider landscape character and setting.

#### Application Site and Surrounds

The application site is located adjacent to the Central Bedfordshire Council /



Buckinghamshire County Boundary which is demarcated by a historic hedgerow running along the elevated ridgeline. The existing urban area of Leighton Linlade is generally contained by topography set back further to the east of the ridgeline and generally screened by hedgerows/ hedgerow trees. Existing residential edge rear of Malvern Drive on the ridge is partially visible with reduced landscape screening to back gardens.

The application site is entirely within greenfield agricultural land extending from the elevated ridgeline west of the existing urban area of Leighton Linlade and extending down slope to the Stoke Hammond Bypass (A4146) constructed in 2007. Beyond the application site and bypass the landscape then rises up to form the western valley-side to the rural Soulbury plateau with reciprocal views across the valley back to the ridgeline east of the application site. *This view is described in Viewpoint 7.*

Leighton Road (B4032) runs through the northern portion of the application site comprising open pastures rising to the north and Linlade New Wood (publicly accessible land owned by CBC and managed by the Greensand Trust) with the Ouzel Valley and Greensand Ridge beyond further to the north east.

The application site as a whole presents a pastoral scene of fields enclosed by hedgerows and hedgerow trees and forms a rural approach to Leighton Linlade. The Stoke Hammond bypass follows the valley floor in part with landscape mitigation associated with the bypass maturing and the visual impact of the road thus reducing.

#### Landscape designations

The application site is located between the northern and southern areas of South Bedfordshire Green Belt but is not designated as Green Belt. On site the landscape flows with no distinguishing or distinctive change in the high quality rural landscape to that in areas designated as Green Belt. The application site performs a vital role in linking the two areas of Green Belt, reinforcing the pastoral character and openness of the local Green Belt landscape.

The Design & Access Statement *Fig 3.7 Landscape Data Plan* describes landscape designations surrounding the application site and relationship of the application site with the surrounds. The reasons for the application site not being included in any spatial or landscape designation appears an anomaly associated to local authority boundaries on plan, the distinctive rural qualities of the site and surrounds are continuous on site in reality.

#### Environmental Sensitivity Assessment

The application site and surrounding landscape has been assessed previously to consider the environmental sensitivity and capacity for growth including land west of Leighton Linlade part of which includes the application site:

*'Environmental Sensitivity Assessment (ESA) South Bedfordshire Growth Area; Supplementary Report Relating to portions of Land Adjoining Council Areas potentially Affected by the Delivery of Growth'; Land Use Consultants (LUC) 2008.*

The ESA considers landscape immediately west of Leighton Linlade described as 'Area A' and including the application site and wider landscape further to the west, described as 'Area A1'

The ESA comments on:

- The distinctive, rural character of the landscape within Area A including the application site and described as highly representative of the district landscape character area.
- Views to Area A and importance of high sensitivity of the elevated areas along the ridge in providing a rural backdrop to the bypass and wider Ouzel valley.
- Evaluation of views and visual amenity concluded that new development to the west facing slopes would be highly visible and prominent within the rural landscape setting.
- The overall sensitivity of Area A is assessed as Grade 1 ('significant constraints such that it is not considered appropriate for development to take place'. *Table 2 Sensitivity Grading*) due to containment of the existing settlement edge and providing a rural edge and approach to western Linslade.
- Given the high sensitivity of the landscape development cannot be mitigated and is not recommended.

The ESA also specifically comments on the sensitivity of the wider landscape area to any future expansion of Linslade and is assessed as Grade 1 overall – development is not recommended.

Proposed development and landscape mitigation

The proposed development describes built form extending downslope, down a valley side westwards and up to the northern ridge adjoining Linslade Wood. Development is shown on the steeper westerly facing slopes (*D&AS Fig 3.8 Topography Plan*) where landscape mitigation is shown primarily reliant on street trees along tree lined boulevard (*ES Fig 6.6 Design strategy; Landscape Strategy Plan.*) There appears no other evidence describing effectiveness of proposed mitigation in the form of updated sections, photomontages, etc. The capacity of the proposed landscape mitigation to effectively integrate development is of considerable concern especially given the topographic character of the site and surrounding landscapes and assessed as having a high sensitivity to change

Conclusion

I conclude; due to the site landscape character and visual relationship with adjoining landscapes, that the site cannot accommodate development without resulting in significant visual impact and change in landscape character associated with the application site and wider surrounding landscapes both in Central Bedfordshire and Aylesbury Vale DC.

Independent landscape sensitivity assessments confer the high sensitivity of landscape to change and need to resist development of this site. Effective landscape mitigation is not demonstrated or assured. Therefore I confirm my objection to this application.

If the application were to be approved I request that a developer contribution be agreed towards Green Infrastructure in response to the impact of future users on GI and GI facilities within Central Bedfordshire.

**6. Highways & Sustainable Transport**

Highways Development Control

The principle vehicular access to this site falls outside of the Central Bedfordshire area and as such, this office's comments will be limited to the potential vehicular impact upon CBC's highway network.

The application proposes some 300 dwellings.

In terms of traffic generation and trip distribution, this is a matter for Buckinghamshire County Council to comment on in their capacity as local highway authority.

With regards to the junction of Stoke Road/Leighton Road/Wing Road ARCADY modelling confirms its operation within theoretical capacity limits during both the AM and PM peak hours throughout the assessment profile.

During the PM peak hours, in the 2019 and 2024 scenarios, the junction experiences some capacity and delay issues, but this occurs without development and the levels increased "with development" are considered to be not severe.

With regards to the junction of Leighton Road/Vimy Road ARCADY modelling confirms its operation within theoretical capacity limits during both the AM and PM peak hours throughout the assessment profile.

During the PM peak hours, in the 2019 and 2024 scenarios, the junction experiences some capacity and delay issues, but this occurs without development and the levels increased "with development" are considered to be not severe.

With regards to the junction of West Street/Leighton Road/Bridge Street ARCADY modelling confirms that the junction currently operates above its theoretical capacity limits during the current year (2014) in both the AM and PM peaks

The introduction of development traffic further exacerbates this issue. In order for this office to be satisfied with this proposal, a TA addendum focussing on this issue would be required for further review.

With regards to the junction of Leighton Road/West Street/Bridge Street, ARCADY modelling suggests that the junction currently operates above its theoretical capacity limits during the current year (2014) in both the AM and PM peaks

The introduction of development traffic further exacerbates this issue. In order for this office to be satisfied with this proposal, a TA addendum focussing on this issue would be required for further review.

With regards to the junction of West Street/North Street/Leston Road ARCADY modelling confirms its operation within theoretical capacity limits during the assessment period.

With regards to the junction of Leston Road/Hockliffe Street ARCADY modelling confirms its operation within theoretical capacity limits during the assessment

period.

With regards to the junction of Old Road/Stoke Road LINSIG modelling suggests the junction will operate with reserve capacity throughout the assessment period until the "2024 With development" scenario during the PM peak hour where degree of saturation falls below the recommended 90% for all approaches. In order for this office to be satisfied with this proposal, a TA addendum focussing on this issue would be required for further review.

As an adjoining highway authority consultation, this office makes no comment or decision upon the correctness or validity of the traffic data, trip generation data or trip assignment data used to inform the operational modelling. This is for the determining highway authority to pass comment upon; however on face value this office raises an objection to this proposal subject to the determining highway authority passing comment upon the TA data. At that point, this highway authority may lift its objection or alternatively request a TA addendum to be submitted that deals with the above concerns for further review.

### Sustainable Transport

Whilst this application is within Aylesbury Vale, it essentially represents an urban extension to Leighton Linlade. Consequently whilst Aylesbury Vale District Council and Buckinghamshire County Council will be responsible for 'servicing' the development the direct impact will be upon a Central Bedfordshire town.

Central Bedfordshire will therefore need to ensure that the development is sustainable in transport terms and maximises the opportunities provided locally in terms of the retail offer, access to London or Milton Keynes, access to further education for instance. To this end therefore connectivity is crucial to the local area for those without access to the private car whilst also seeking to reduce the impact of potential increase in traffic flow on local infrastructure in Leighton Linlade.

In order to be considered sustainable in transport terms the following commitments need to be made:

- A bespoke public transport service linking the development to the town via the railway station. This would need to provide a service between 07:00 and 19:00 (Mondays to Fridays); 0900 and 17:00 (Saturdays). The frequency of the service would be one per hour approximately, with one two hour gap on Saturdays to meet drivers' regulations. The officer has assumed a daily price of £480 per day, Mondays to Fridays; £360 per day Saturdays. Final prices will depend on tender results prevalent at the time. For budgeting purposes I estimate £139,800 per year. Prices are based on an hourly cost of £40 per hour (current rates vary between £35 and £50 per hour), with fares revenue going to the bus operator. It is suggested that the support for the bus service should be a minimum of 3 years, with the service starting once 25% of the dwellings are occupied. The financial contributions required would therefore total £419,400 at £139,800 per year for 3 years plus the installation of bus stops.
- Highway design within the development to allow for public transport, minimum 6.5metres.
- Bus stops on site such that no dwelling is more than 400m from a bus stop.

New bus stops should have a raised kerb, pole with bus stop flag and timetable case. At least one stop should have a bus shelter with real time screen.

- A contribution to improvements to the railway station forecourt to reflect the requirement for increased capacity due to increases in service from the new developments.
- Shared use path along Soulbury Road as indicated on the TA.
- Footway from the proposed pedestrian/cycling access off Derwent Road to Greenleas School.
- Raised crossing point linking to the school and CBC ROW 59 adjacent to Greenleas School and linking to the pedestrian route to the station.
- Raised crossing point to be incorporated into a school safety zone with a 20mph speed limit.
- Improvements to CBC ROW BW52, Rock Lane, providing links from the south of the site to the railway station and the town. In conjunction with an upgrade to the PROW to BW to which this connects within Aylesbury Vale in order to provide continuity of provision. Improvements to surfacing and lighting in order to maximise the opportunity that this route provides with regard to access to the station, local schools, leisure facilities and the town centre.
- Travel planning measures including contributions to CBC that directly benefit Leighton Linlade and in line with those proposed for other urban extensions in the South Central Bedfordshire growth area.
- Cycle parking in each property (residential and non residential) according to CBC policy.
- Enhanced crossing linking the proposed north - south footpath across Leighton Road onto existing cycle paths to connect to Sustrans National Route 6 on the canal towpath.
- High quality foot and cycle paths within the development.
- Road design to ensure cycle use is not hampered by parked cars.

#### Travel plan commentary

As part of this application, Aylesbury Vale District Council should take into account the following points regarding their community framework travel plan document for the site:

The plan is clearly based on information available at the time of writing of the transport assessment. Updates should be requested to the plan both in terms of statistics (census data, traffic counts etc.) but also references to funding and planned works. It is important to base the travel plan on the situation as it is currently.

AVDC should be requesting interim modal share targets at this stage, to be

revised upon actual travel data becoming available. As many of the facilities residents will use are in the CBC area we will have an interest in what the interim targets are for reducing single occupancy car trips.

The travel plan steering group/working group should seek to include local groups such as Buzzcycles in Leighton Buzzard to co-promote initiatives throughout the area.

More details should be requested as to how the measures are to be financed, managed and secured - understandably detailed measures will be brought forward in time but it should be made clear what the mechanism for delivery of measures will be and how this ties in to CBC schemes and promotions in the area.

The travel plan will need to re-think using the Leighton Buzzard station travel plan steering group as a mechanism for discussion/ action as this was a funded group which is currently inactive. Members of the group are still actively promoting issues but the group itself is on hold at present.

#### **7. Consultation Responses which do not raise concerns**

The Climate Change Officer commented that the proposed sustainability and energy standards for residential and non-residential buildings are similar to standards required by the CBC's policies.

*The Archaeologist comments that "the development lies wholly within Buckinghamshire. The Environmental Statement deals with the impact of the proposed development on archaeology (Chapter 15). It is clear from this that the Buckinghamshire County Archaeology Office has been involved in discussions about this application and are in a position to comment on this application.*

*The proposal will not directly impact on any archaeological remains in Central Bedfordshire and would be unlikely to have a major impact on the setting of any designated heritage assets in the Authority area. Therefore, I have no objection to this application on archaeological grounds nor do I have any additional comments to make on it."*

#### **8. Section 106 and Other Issues**

In the event that AVDC are minded to grant planning permission for the proposal CBC should be party to the Section 106 agreement to ensure that appropriate contributions are secured.

It is not considered that the consideration of this application raises any Human Rights issues.

It is not considered that this application raises any issues for CBC under the Equality Act 2010.

#### **9. Proposed Response to AVDC**

It is proposed that a copy of this report would be provided to AVDC and the wording below would be included in the covering letter from Andrew Davie, Development Infrastructure Group Manager.

I refer to your letter of 21 January 2015 regarding the planning application as

shown above and would confirm that Central Bedfordshire Council wishes to object to the proposed development on the following grounds.

#### 1) Principle

A planning application for a larger, but similar residential development in this area was refused by AVDC and dismissed at appeal in 2012. The Secretary of State in his conclusions set out that *"The Secretary of State concludes that Appeal A is not in accordance with the development plan or with national policy with regard to environmental and economic sustainability"*. It is our opinion that nothing has changed to warrant moving away from this point of principle.

Central Bedfordshire Council object on the basis that the proposal is not in accordance with national policy in relation to environmental or economic sustainability.

#### 2) Housing need

The proposal would clearly have numerous impacts on Leighton Linlade, which would effectively receive a western urban extension. The Council gave consideration to extending Leighton Linlade to the west or to the east and took the view that the most sustainable and appropriate location for the extension of the town would be to the east and planning applications have been made to deliver this development. The LDF Team commented that an assessment of the site has been made previously but the landscape sensitivity is rated as moderate to high and the proposals at the time stated that less than 50% of the site would be developed but sufficient landscape mitigation was still not proven. The LDF Team also highlight that the proximity of the site to Central Bedfordshire brings into question which authority's housing need would actually be met by the development proposal.

Central Bedfordshire Council object as the site is unacceptable in principle having previously been considered during a call for sites and discounted due to the landscape sensitivity. Central Bedfordshire Council can demonstrate a 5 year housing land supply and as the proposed development relates better to Leighton Linlade it would contribute to housing need in Central Bedfordshire rather than in Aylesbury Vale, limited weight should therefore be given to the argument that the proposal would contribute to AVDC need for housing.

#### 3) Infrastructure Impacts

There would be significant impacts on the town of Leighton Linlade in terms of additional pressures on all types infrastructure with the application acknowledging that the town would meet the needs of the residents of the proposed new houses in terms of the town centre with wide variety of shops, Tiddenfoot Leisure Centre, Leighton Buzzard Library Theatre, schools, railway station, bus services to the station and other destinations and employment opportunities.

Central Bedfordshire Council object to the proposal due to the adverse impacts it would have on the town of Leighton Linlade by placing significant additional pressures on all infrastructure and services.

#### 4) Impact on Leighton Buzzard town centre

The new residents of the proposed development would use Leighton Buzzard Town Centre for their day to day needs as the next nearest settlement of a similar size would be Bletchley some 11km away. Leighton Linlade town

centre is already under pressure and CBC has two development briefs in place to expand town centre retail, commercial and residential provision.

Central Bedfordshire Council objects to the application on the basis that it would have an adverse impact on the infrastructure and services of Leighton Linlade town centre and no mitigation is proposed.

#### 5) Tiddenfoot Leisure Centre

Tiddenfoot Leisure Centre is already under severe pressure by meeting the needs of the existing population of Leighton Linlade and cannot accommodate the additional pressures that the proposal would bring.

Central Bedfordshire Council objects to the application as it would place unacceptable pressure on Tiddenfoot Leisure Centre which is already under severe pressure and there are no proposals to mitigate this impact.

#### 6) Education

The children generated by the development would be most likely to attend schools within Central Bedfordshire rather than AVDC as the nearest schools would be in Leighton Linlade. 300 dwellings would generate 12 pupils per year group which cannot be accommodated within existing schools within Leighton Linlade without extensions. Financial contributions would be able to mitigate the impacts and provide funding to extend schools as required. In the specific case of Greenleas Lower School, Derwent Road which would be under the greatest pressure, there is no room on the site for any further extensions. This would therefore need to be mitigated by the applicant providing a suitable area of land. The land would be within the application site and would therefore have to be used as a detached playing field, this would not be ideal but if necessary would be acceptable. If this were to be the case, a safe crossing or bridge would also be needed, also paid for by the applicant.

If AVDC are minded to approve the application, Central Bedfordshire Council objects due to the impact on education provision, unless full contributions are secured and passed to CBC, a suitable area of land for a detached playing field is provided along with a safe crossing point or bridge at the applicants cost.

It is noted that Buckinghamshire County Council (BCC), in its letter dated 23 February 2015, has raised concerns regarding how school places would be delivered in Central Bedfordshire when BCC are the education authority. This matter clearly needs further consideration and discussion.

#### 7) Highways

Central Bedfordshire Council objects to the proposals on highway grounds until a TA addendum to ensure that the information is relevant to the proposal under consideration is submitted to address the junctions identified as near capacity.

#### 8) Sustainable Transport

The development would need to provide and incorporate significant measures to enable it to be considered sustainable in transport terms.

Central Bedfordshire Council therefore objects to the application unless funding for a bespoke bus service for at least 3 years is secured, along with an appropriate highway design to allow easy access for public transport; shared use paths, footways and crossing points; improvements to public rights of way;



cycle parking provision; travel planning measures and contributions to the station forecourt to allow the extra capacity to be accommodated.

#### 9) Landscape Impacts & Green Infrastructure

Serious concerns regarding negative impact of proposals on landscape character and visual amenity have been raised and Central Bedfordshire Council therefore objects to the proposals.

The proposed development would result in the encroachment of built form in to open, elevated, distinctive rural countryside which is contiguous with adjoining rural designated high quality landscapes and cannot be adequately or appropriately mitigated due to the elevated open character of the application site and location in relation to the wider landscape character and setting.

Due to the site landscape character and visual relationship with adjoining landscapes, the site cannot accommodate development without resulting in significant visual impact and change in landscape character associated with the application site and wider surrounding landscapes both in Central Bedfordshire and Aylesbury Vale DC and there would thereby be an unacceptable impact.

Independent landscape sensitivity assessments confer the high sensitivity of landscape to change and the need to resist development of this site. Effective landscape mitigation has not been demonstrated or assured.

The above comments are clearly supported by the response of Aylesbury Vale District Council's own Landscape Architect and Urban Designer in his comments dated 29th January 2015.

The pressure on green infrastructure assets beyond the site boundary would be largely felt by sites in Central Bedfordshire, namely Linslade Wood as a very local site, and Rushmere Country Park as a more strategic scale destination. Given that the impact on green infrastructure sites would be concentrated in Central Bedfordshire, if the development were to be approved, Central Bedfordshire Council would be seeking significant contributions to these sites.

Whilst Central Bedfordshire Council objects to the proposed development and would recommend that the application is refused, if consent is granted then appropriate Section 106 contributions would need to be secured to mitigate the impacts on Central Bedfordshire services and infrastructure and Central Bedfordshire Council would need to be party to the agreement. In light of this it is imperative that a meeting is arranged, as previously requested, between the Councils to discuss the approach to be taken to this matter.

#### **Recommendation**

That the response in section 9 above is sent to AVDC along with a copy of this report as Central Bedfordshire Council's objection response to the consultation on the planning application.

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<b>Item No. 10</b>
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<b>APPLICATION NUMBER</b>	<b>CB/15/00299/FULL</b>
<b>LOCATION</b>	<b>23 High Street, Meppershall, Shefford, SG17 5LS</b>
<b>PROPOSAL</b>	<b>Proposed part garage conversion</b>
<b>PARISH</b>	Meppershall
<b>WARD</b>	<b>Shefford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Birt &amp; Brown</b>
<b>CASE OFFICER</b>	<b>Nicola Stevens</b>
<b>DATE REGISTERED</b>	<b>04 February 2015</b>
<b>EXPIRY DATE</b>	<b>01 April 2015</b>
<b>APPLICANT</b>	<b>Mr Mardell</b>
<b>AGENT</b>	
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Call in by Cllr Brown on the grounds of: The current garage is of a irregular shape and size which prevents it form being used successfully and the approved option of it serving as a utility room could not function nor could the front doors be closed if it was so used. The garage is unusable for car parking purposes and the condition should be removed.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Refusal</b>

That the application be delegated to the Development Infrastructure Group Manager to approve in consultation with the Chairman, Vice Chairman and Ward Representatives.

1. The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Sheet BP and Sheet 01.

Reason: To identify the approved plan/s and to avoid doubt.

#### NOTE

- (1) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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<b>Item No. 9</b>
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<b>APPLICATION NUMBER</b>	<b>CB/15/00239/FULL</b>
<b>LOCATION</b>	<b>The Paddocks, Springfield Road, Eaton Bray, Dunstable, LU6 2JT</b>
<b>PROPOSAL</b>	<b>Change of use from residential home for the elderly to domestic dwelling.</b>
<b>PARISH</b>	<b>Eaton Bray</b>
<b>WARD</b>	<b>Eaton Bray</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Mrs Mustoe</b>
<b>CASE OFFICER</b>	<b>Nicola Darcy</b>
<b>DATE REGISTERED</b>	<b>21 January 2015</b>
<b>EXPIRY DATE</b>	<b>18 March 2015</b>
<b>APPLICANT</b>	<b>Mr K Janes</b>
<b>AGENT</b>	<b>Mr CA Emmer</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Applicant is a Ward Member</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Recommended for Approval</b>

### Summary of Recommendation

The conversion of the residential care home to a domestic residential dwelling is accepted in principle. The proposal would complement and harmonise with its surroundings and would not have a detrimental impact on the openness of the Green Belt or amenity of surrounding residents and would have an acceptable impact on the surrounding highway network. The proposal is therefore considered to be in accordance with the National Planning Policy Framework, Policies BE8, T10 and NE12 of the South Bedfordshire Local Plan Review, policies 1, 2, 3, 27, 31, 36, 43, 50 and 52 of the emerging Development Strategy and the Central Bedfordshire Design Guide.

### Recommendation

That Planning Permission be GRANTED subject to the following:

### RECOMMENDED CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The residential curtilage of the proposed dwellinghouse is defined only by the extent of the red outline shown on approved drawing No. 2015/01 01 03 received 16/02/14.

Reason: To limit the extent of the residentially used land having regard to the rural Green Belt location of the site and the need to protect the visual amenities and openness of the Green Belt.  
(Policies BE8 S.B.L.P.R and 36 & 43 D.S.C.B).

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions to the building hereby permitted to be converted shall be carried out without the grant of further specific permission from the Local Planning Authority.

Reason: To control the external appearance of the building in the interests of the amenities of the area and to protect the openness of the Green Belt.  
(Policies BE8 S.B.L.P.R and 36 & 43 D.S.C.B).

- 4 **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2015/01 01 03 received 16/02/15, 2015/01 01 01 & 2015/01 01 02 A.**

**Reason: To identify the approved plans and to avoid doubt.**

### Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

### **Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

Planning permission has been recommended for approval for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

### NOTES

- (1) In advance of the consideration of the application the Committee noted Highway Officer comments and information regarding revised plans as set out in the Late Sheet appended to these minutes.